IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.15392 of 2003

Dated: 29th June, 2006

Between:

Ramana Reddy

.. Petitioner

and

The Joint Collector, Kurnool
and another.

.. Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.15392 of 2003

ORDER:

This writ petition is filed seeking a Mandamus declaring the action of the first respondent in issuing Proceedings L.Dis.No. (CS2)539/2003 dated 18.7.2003 as arbitrary, illegal, unjust and contrary to the provisions of A.P. Petroleum Products (Licensing and Regulation of Supplies) Order, 1980.

The case of the petitioner is that by order dated 3.7.2003, the first respondent permitted him to utilize the extension point at Nandikotkur in order to provide better service to the beneficiaries of Deepam scheme. According to the petitioner, he started his business on 5.7.2003, but the respondent by impugned order dated 18.7.2003, cancelled the order dated 3.7.2003 without giving any notice or opportunity to him. Hence the writ petition.

There is no necessity of going into all the details. Admittedly, the first respondent passed the impugned order dated 18.7.2003 canceling the earlier order dated 3.7.2003, without putting the petitioner on notice, and hearing him in this regard and no reasons were furnished for such cancellation. Since the impugned was passed in gross violation of principles of natural justice, it is liable to be set aside.

In the result, the writ petition is allowed and the impugned order dated 18.7.2003 is set aside. The first respondent is directed to give an opportunity to the petitioner by putting him on notice as to cancellation of orders granted on 3.7.2003 and shall pass appropriate orders as per law within a period of three months from the date of receipt of a copy of this order. During the pendency of such consideration, status quo as on today shall continue. There shall be no order as to costs.

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C.V.RAMULU,
J

Date: 29.6.2006
DA

THE HON'BLE SRI JUSTICE C.V.RAMULU

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29.6.2006